

Rory Kay (NSBN 12416)
McDONALD CARANO LLP
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
Telephone: (702) 873-4100
rkay@mcdonaldcarano.com

Dell P. Chappell (*pro hac vice* forthcoming)
Nelson Mullins Riley &
Scarborough LLP
1320 Main Street, 17th Floor
Columbia, South Carolina 29201
Telephone: 803-255-9428
dell.chappell@nelsonmullins.com

*Attorneys for Defendants, Elevance Health, Inc.,
Carelonrx, Inc. and Carelon Insights, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

OPTUM, INC.; OPTUMRX, INC.;
OPTUMINSIGHT LIFE SCIENCES, INC.;
OPTUMINSIGHT, INC.; UNITEDHEALTH
GROUP, INC.; THE LEWIN GROUP, INC.;
EVERNORTH HEALTH, INC.; EXPRESS
SCRIPTS, INC.; EXPRESS SCRIPTS
ADMINISTRATORS, LLC; ESI MAIL
PHARMACY SERVICE, INC.; EXPRESS
SCRIPTS PHARMACY, INC.; EXPRESS
SCRIPTS SPECIALTY DISTRIBUTION
SERVICES, INC.; MEDCO HEALTH
SOLUTIONS, INC.; ELEVANCE HEALTH,
INC.; CARELONRX, INC.; CARELON
INSIGHTS, INC.; DOE ENTITIES 1-10,

Defendants.

Case No.: 2:24-cv-00493-RFB-DJA

**MOTION TO WITHDRAW AS
COUNSEL OF RECORD**

Under LR IA 11-6(b) of the United States District Court for the Nevada, Rory T. Kay respectfully moves to withdraw as counsel for defendants Elevance Health, Inc., CarelonRx, Inc. and Carelon Insights, Inc. By prior substitution, the law firm of Lewis Roca Rothgerber Christie LLP, now known as Womble Bond Dickinson, substituted in for the law firm of McDonald Carano LLP to serve as local counsel for Mr. Dell Chappell. *See* Stipulation and Order for Withdrawal and

Substitution of Counsel on Behalf of Defendants Elevance Health, Inc., CarelonRX, Inc., and Carelon Insights, Inc. ("Stipulation") (ECF No. 63). The Stipulation mentioned Pat Lundvall of McDonald Carano as a withdrawing attorney but omitted Mr. Kay. McDonald Carano thus submits this Motion to Withdraw Mr. Kay as counsel of record as well. No prejudice will occur to any party in this case, as Womble Bond Dickinson already serves as local counsel in this matter for Mr. Chappell, and thus Elevance Health, Inc., CarelonRx, Inc. and Carelon Insights, Inc. will continue to have counsel of record in this matter moving forward.

As such, and under LR IA 11-6(e), Mr. Kay's withdrawal will not result in a delay of litigation. Undersigned counsel also requests removal from the ECF system should the Court grant this Motion.

Dated this 31st day of March, 2025.

McDONALD CARANO LLP

By: /s/ Rory T. Kay

Rory T. Kay (NSBN 12416)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
rkay@mcdonaldcarano.com

Dell P. Chappell (*Admitted pro hac vice*)
Nelson Mullins Riley & Scarborough LLP
1320 Main Street, 17th Floor
Columbia, South Carolina 29201
dell.chappell@nelsonmullins.com

*Attorneys for Defendants Elevance Health, Inc.,
Carelonrx, Inc. and Carelon Insights, Inc.*

IT IS SO ORDERED.

DATED: 4/1/2025



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of McDonald Carano LLP and that on the 31st day of March, 2025, a true and correct copy of the foregoing **MOTION TO WITHDRAW AS COUNSEL OF RECORD** was electronically filed with the Clerk of the Court by using CM/ECF service which will provide copies to all counsel of record registered to receive CM/ECF notification.

/s/ Leah Jennings

An employee of McDonald Carano LLP

McDONALD CARANO

2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102
PHONE 702.873.4100 • FAX 702.873.9966